NEW YORK INCRED. TERSDAY, MARCH SI, 1868, TRIPLE SHEET.

## WASHINGTON

### Important Bill Regulating the Presidential Succession.

Effect of General Butler's Speech Before the Court of Impeachment.

The New Jersey Legislature and the Constitutional Amendment.

The Resolutions Withdrawing the Assent of the State Presented to the House.

The Radicals Indignant and the Resolutions Ordered to be Sent Back to the Legislature.

The Tax Repeal Bill as Passed by the Senate.

Promulgation of the Order Assigning General Hancock to the Military Division of the Atlantic.

WASHINGTON, March 30, 1868. Important Bill Regulating the Presidential

The bill introduced to-day by Mr. Churchill, of New York, is looked upon by all parties as of great impossible in the present difficulties that have arisen tween the Executive and the legislative branches of the government. The act of 1792 provides that in of the death of the President and Vice President the President of the Senate pro tempore, and next the Speaker of the House of Repre-sentatives, shall succeed. The bill of Mr. extends the succession to the Chief Justice of the Supreme Court. Also some serious doubts have arisen as to the necessity of the cretary of State ordering an election next fall for President to serve in the event of the conviction of Mr. Johnson during the unexpired term of Mr. Johnon, as well as the election of a President to serve during the regular term of four years from March 4 next. Mr. Churchill's bill removes all these doubts, and declares that no such election for the unexpired term shall take place. The bill will be brought be fore the House for action at the earliest moment, and there appears to be the utmost readiness to adopt it. General Butler's Speech Before the High Court of Impeachment.

General Butler's opening speech is the all absorb-ing topic this evening. For three mortal hours he the High Court of Impeachment with a harangue involving a wide range of subject which in the general run had very little to do with the consideration. The ech is spoken of, even by the admirers of Mr. er, as an excessively dull and feeble effort, short of the great expectations placed upon Mr. Butler read the formidable document, which covered thirty-eight printed pages, in a one and gesture which would rather suggest mimlery than sober earnest. Mr. Butler's voice is the strangest ever mortal speaker saluted the public ear with. It resembles in its intonations the combined and varied noises of a cracked barrel organ and a and snappish, and again wheezy and rasping. Any-body who has ever seen and heard the manager of a travelling peep show describing to a gaping audience of country bumpkins the picture which illustrates the passage of the Alpa by Na-poleon with a cotton umbrella under his left arm will be reminded irresistibly of that individual by read his speech and made about as much impression on his audience as he did on Fort Fisher. Towards three o'clock a large number of the spects evidently exhausted and disappointed, and commenting upon the effort in not complimentary in the trial is that if the speeches which follow on the part of the Board of Managers are as impotent the prosecution may as well give up the case at once. It is expected Mr. Butier's effort will get a scathing overhauling from the counsel on the other side, and it is considered its balderdash will be pretty well exposed. Certainly impeachment starts

The Reported Turkish Massacres in Crete. The despatch forwarded from here last evening by the Associated Press relative to Turkish massacre of married women and old men in Crete is promitigated fabrication. It is believed to be a desperate effort on the part of certain persons here to excite sympathy of a particular character. The despatch goes minutely and elaborately into the narration of atrocities of a more diabolical nature than of On the face of it it looks suspicious

Heavy Democratic Gain in Maine. The President received a telegraphic dispatch afternoon from Ellsworth, Hancock county, Me., informing him that the election in that town resulted in a net gain to the democrats of about three hundred. Reilliant Assemblage at the President's Leves.

ing. The parlors of the Executive Mansion were crowded throughout the evening by a very distinguished and brilliant assemblage, composed mainly of the more prominent officers of the government, civil, military and naval, together with nearly all the leading foreign representatives and a throng of beautiful ladies. The President appeared in excellent spirits, and conversed lightly and pleasantly with the friends surrounding him. General Hancock appeared early in the evening, and formed one of the incipal centres of attraction.

Hancock's Appointment to Command th Military Division of the Atlantic. The following is the order appointing General Hancock to the command of the new military division:-

GENERAL ORDERS NO. 17.

GENERAL ORDERS NO. 17.

HERADQUARTERS OF THE ARMY,
ADJUTANT GENERAL'S OFFICE,
WASHINGTON, March 30, 1868.

By direction of the President of the United States Major General W. S. Hancock is relieved from command of the Fifth Military District and assigned to the command of the Military Division of the Atlantic, created by General Orders No. 10 of February 12, 1868.

By command of GENERAL GRANT.

E. D. TOWNSEND, A. A. G.
General Hancock arrived here from his visit to

General Hancock arrived here from his visit to New Haven, Conn., this morning. At half-past ten o'clock he visited the President. It is expected he

will at once assume the command of the Military Division of the Atlantic, arrange his staff and seleca building for headquarters.

The Law for the Government of the

Southern States.
Secretary Stanton has issued, in the form of a general order, the act of Congress amendatory of the act passed on March 21, 1867, to provide for the more efficient government of the rebet States. It is ac-companied by a note by the Department of State the President for his approval, and not having been returned by him within the time constitutionally prescribed, had become a law without his approval. Progress of the Work on the Pacific Railroad.

A Washington despatch to the Evening Telegram. the report of the government commissioners on the second section of twenty-miles of the Sloux City and Pacific Railroad, extending from the initial point in Floux City to the twentieth mile post south Eighteen miles and three-quarters of this section is in a straight line. There

bridges supported by trestles on filling sixteen feet from centre to centre, having an aggregate length of 2.414 feet. The sidings on the first mile measure in the aggregate is 0,501 feet, and on the second mile there is a permanen: sater station. A

house and temporary engine house have been built in Stoux City, and preparations are being made for erecting a permanent brick engine house. Mate-rials are also being collected for large machine and repair shops at some convenient point along the road. The commissioners finding the section in every respect equal to a first class railroad, recommended that it be accepted, and on the 27th inst. the section was accepted by the President and the bonds and patents due the company ordered to be

#### THE FORTIETH CONGRESS

Second Semion.

SENATE

WASHINGTON, March 30, 1868 The Senate reassembled at eleven o'clock. The Chaplain asked a blessing upon the Senators, the

privates of the army, and all to whom public trusts are committed or who have assumed responsibilities in reference to the nation, especially in regard to the great trial. He prayed that God would give grace to his servant presiding over this High Court, wis-dom to those managing this important case, and a spirit of justice and righteousness to those with

Mr. EDMUNDS, (rep.) of Vt., called up the bill to regulate appeals to the Court of Claims, which was amended and postponed until to-morrow.

THE CASE OF MR. BUTLER, OF TENNESSEE.

THE CASE OF ME. BUTLER, OF TENNESSEE.

Mr. TRUMBULL, (rep.) of III., called up the bill pending on the adjournment on Saturday to relieve Roderick R. Butler, of Tennessee, from political disabilities. The question was on Mr. Buckalew's amendment to strike out the word "constitution" from the clause proposing to relieve the disabilities imposed by the constitution and reconstruction laws.

Mr. Buckalew, (dem.) of Pa., resumed the floor.

Mr. BUCKALEW, (dem.) of Pa., resumed the floor ne argued that the reconstruction laws having no application to Tennessee, Mr. Butler could properly be relieved from the disabilities imposed by hem. He quoted the testimony taken in behalf of Mr. Butler and discussed his record at length, claiming that he had never rendered any actual militar service.

the Manufacturers' Bill.

ten minutes past twelve Mr. Buckslew gave at the suggestion of Mr. Sherman, (rep.) of , who presented the report of the Committee of terence on the bill to relieve certain manufac-

Conference on the bill to relieve certain manufactures from internal tax.

Mr. Hendricks, (dem.) of Ind., moved that the report be laid over and printed.

Mr. Sherman urged immediate action, saying everything objectionable to the Senate had been stricken out, and the bill, so important to the country, would go into effect on Wednesday next.

Several Senators opposed acting on the report immediately, and Mr. Sherman consented to have it go over, giving notice that he would press it as early as possible.

possible.

Mr. Howe, (rep.) of Wis., explained that he had only learned this morning that he had been appointed a member of the committee, having received no notice to attend its meetings, and that Mr. Howard had oftended instance.

had attended instead.

Mr. Stewart, (rep.) of Nevada, said he had been notified to attend and had therefore signed the re-

notined to attend and had therefore signed the report.

Mr. Sherman said he, as Chairman, had misapprehended the announcement of the committee and had, therefore, notified Mr. Howard instead of Mr. Howe.

Mr. Hendricks' motion was modified so as to order the printing simply, and was agreed to.

At half-past twelve o'clock the President pro tem, vacated the chair, and the Senate assumed the functions of of a Court of Impeachment for the trial of the President.

President.

After the adjournment of the Court of Impeach ment the President pro lem. (Mr. Wade) called the Senate to order.

CONSIDERATION OF THE MANUFACTURERS' BILL RE

CONSIDERATION OF THE MANUFACTURERS' BILL RESUMED.

On motion of Mr. Sherman the Senate again took up the report of the conference committee on the bill relative to exempting certain manufactures from internal tax.

Mr. Grimes, (rep.) of lows, asked the chairman of the committee (Mr. Sherman) why they had exempted flour and lumber?

Mr. Sherman replied that there was no reason in his opinion why these articles should not pay the tax. To say that flour could not bear a tax of two cents a barrel was a species of humbug; but he had yielded rather than peril the bill. He explained the various changes in the amendments in reply to queries from Messrs. Hendricks, Freinghuysen and others.

others.

Mr. Morrill, (rep.) of Vt., expressed surprise that the Senator should call it humbug to exempt lumber and four, which had been exempted from the beginning. It would be a humbug to tax them now.

Mr. Sherman reforted that an equally strong argument could be made for exemption on clothing. They well knew that lumber was consumed mostly by the rich.

Mr. Morrill said it was desirable to exempt lumber because it affected building, and that very little profit was made on flour.

Mr. Morkilla succeed building, and that very little profit was made on flour.

Mr. Grimes said the Senator from Vermont (Mr. Morrill) had repeated exactly the arguments used by himself last year against the tariff on exported lumber. The lumbermen and millers were among the richest men in the country, and this would simply place them on the footing with other manufacturers. Mr. Conness, (rep.) of Cal., denied that two or three dollars of tariff were added to the prices of the conness.

three dollars of tariff were added to the prices of lumber.

Mr. Grings said it was in his section.

Mr. Conkling, (rep.) of N. Y., condemned the provision in regard to whiskey frauds as more liable to abuse than any previous one. The Attorney General would act upon the representations of the District Attorney, the very officer against whose malfeasance it was intended to provide. So with the Secretary of the Treasury and his subordinates. He alluded to the New York system of requiring notice proseque to be granted in open court where both sides could be heard and reasons shown. He feared they would be hoisted with their own petard in thus allowing to be done by some clerk of the Treasury Department in a closet what was not allowed to be done by a court. They should keep in the proper channels of justice. He did not feel like moving to send this received that it would be arranged better in a subsequent bill.

Mr. Howard, (rep.) of Mich., reminded the Scnator

cedent and that it would be arranged better in a subsequent bill.

Mr. Howard, (rep.) of Mich., reminded the Senator that it has always been in the power of District Attorney to enter notile prosequi and discontinue a case, which was one of the greatest sources of corruption and abuse under the administration of our laws.

Mr. Conkling asked whether the Attorney General was not as likely to be induceded by the representation of the District Attorney as a court would be?

Mr. Howard replied that the court had nothing to do with it. The District Attorney had the power himself, without asking the court, and then, if the court had the power, it was generally influenced by the District Attorney.

Mr. Monton, (rep.) of Ind., said this did not change existing local laws, but simply required, in addition, the supervision of the Attorney General and the Secretary of the Treasury. He, as a member of the committee, had agreed to this as the best means he could obtain for the punishment of whiskey frauds.

Mr. Conkring dissented, holding that this cliented.

means be could obtain for the punishment of whiskey frauis.

Mr. Conkling dissented, holding that this allowed every question to be decided by the ipse divit of two officials, but as it was aut Crear and milus he supposed they must acquiesce.

Mr. Hexpricks, (dem.) of Ind., said he would vote against the report because of the fifth and last sections. He claimed that its effect would be to water the responsibility until there was none, and that there was more check upon district attorneys in local public opinion than by this mode. He also held that punishment by both fine and imprisonment would work unjustly in many cases.

The report was then agreed to, and at five minutes past ove o'clock the Senate adjourned.

### HOUSE OF REPRESENTATIVES.

WASHINGTON, March 30, 1868,

PETITION.

Mr. Dawes, (rep.) of Mass., presented a petition o John Hamilton & Son and other citizens of Hamp den county. Mass., for the removal of the appressi-

ASSISTANT ENGINEERS IN THE NAVAL ACADEMY. Under the call of States for bills and joint resolution Mr. Eldor, (rep.) of Mass., introduced a bill relating to third assistant engineers in the Naval Academy

which was referred to the Committee on Nava

THE SHIPPING INTEREST. Mr. ELiot also presented a memorial of Charles G Nazaro, President, and other officers of the Board of Trade, and F. W. Lincoln, N. Thomas Lamb and eighty-eight other merchants and citizens of Boston.

eighty-eight other merchants and citizens of Boston, praying for legislation in aid of the shipping and carrying trade of the United States, which was referred to the Committee on Commerce.

VACANCIES IN THE OPPICES OF PRESIDENT AND VIOR PRISIDENT.

Mr. CHURCHILL, (rep.) of N. Y., introduced a bill to amend the act of March 1, 1792, relatite to vacancies in the offices of President and Vice President of the United States, requiring new elections in case of an interval of eighteen months between the double vacancy and the ordinary termination of the Presidential term, which was referred to the Judiciary Committee.

rensions. Mr. Churchill. introduced a bill supplementary to the several acts relating to pensions. Referred to the Committee on invalid Pensions. New JERREY AND THE CONSTITUTIONAL MENDMENT. Mr. Haidht, (dem.) of N. J., presented a joint reso-

Intion as to withdrawing the consent of the constitution of the United States.

Mr. ELDSTORE, (dem.) of Wis., called for the reading of the document.

After the Clerk had commenced the reading Mr.

After the Clerk had commenced the reading Mr.

Washburns, (rep.) of Ill., asked the speaker whather it was in order to move to return the document to the New Jersey Legislature?

The Straight of the Washburns and was a rebuse to a disloyal would make that motion as a rebuse to a disloyal would make that motion as a rebuse to a disloyal would make that motion as a rebuse to a disloyal would make that motion as a rebuse to a disloyal would make that motion as a rebuse to a disloyal would make that motion as a rebuse to a disloyal would make that motion as a rebuse to a disloyal would make that motion as a rebuse to a disloyal make that mo

The CLERK resumed the reading, and was again interrupted by Mr. ELDRINGE, who said he would not insist on the reading if the resolutions would appear in the Globe. The SPEAKER said the reading might as well be

continued now, as the time for going over to the Senate had aimost arrived.

Mr. Piler, (rep.) of Mo.—Let the document be read, and I object to its being printed.

Mr. Warhburns gave notice that he would make a motion to suspend the rules in order that the document might be returned to the New Jersey Legislature.

DEPARTURE FOR THE SENATE CHAMBER.

The SPEAKER, at half-past twelve, suspended the proceedings and announced that, in accordance with the resolution, the House would resolve itself into Committee of the Whole House, and, headed by its Chairman, Mr. Washburne, of Illinois, and accompanied by the Clerk, Mr. McPherson, and the Assistant Doorkeeper, Buxton, would attend the Managers to the bar of the Senate.

The order was carried out.

RETURN FROMMTHE SENATE.

The House reassembled at twenty minutes past four o'clock, when Mr. Washburne, of Illinois, reported that the Committee of the Whole had, according to order, attended the Senate, sitting as a Court of impeachment for the trial of Andrew Johnson; that progress had been made in the trial, and that the Senate, sitting as a Court of impeachment, had adjourned until twelve o'clock to-morrow.

The SPEAKER said the report would be entered on the journal, and asked whether the gentieman from Illinois liad any suggestion to make as to the hour of meeting to-morrow.

Mr. Washburne suggested that the House should meet at a quarter before twelve, so as to give time

neeting to-morrow.

Mr. WASHBURNE suggested that the House should neet at a quarter before twelve, so as to give time

Mr. Washburne suggested that the House should meet at a quarter before twelve, so as to give time enough to read the journal.

Mr. Banks, (rep.) of Mass., suggested that the House should meet at eleven o'clock.

Mr. Schenck, (rep.) of Ohlo, said that the conference committee on the bill relieving manufactures from taxation had agreed this morning on a report, that the report had been made to the Senate and that he had been informed by the chairman of the Finance Committee that the Senate proposed to take up the report this evening and to dispose of it. He trusted, therefore, that as the bill was to go into effect on the 1st of April the House would meet to-morrow at eleven or half-past ten in order to dispose of the conference report.

The SPEAKER asked if there was any objection to

The Speaker asked if there was any objection to the proposition?

Mr. Kerr (dem.) of Ind., objected.

THE NEW JERSEY MATTER RESUMED.

The Speaker said the House would now resume the consideration of the matter which was being read at the time the House went into Committee of the Whole to attend the Managers to the Senate, being the joint resolution of the New Jersey Legislature withdrawing its assent to the constitutional amendment known as the fourteenth article.

Mr. Schenck gave notice that he would move to suspend the rules so as to provide for a meeting tomorrow at haif-past ten. He hoped that all interested in the question about manufactures would remain in the hall.

ispend the false and the hoped that all inte-sted in the question about manufactures would main in the hall. Mr. Eldsings made the point of order that the entleman from Ohio could not interrupt the read-ing of the resolutions by any such notice or re-

intil next Monday.

Mr. Washburne, of Ill.—I move to suspend the ules for the purpose of offering a resolution in reference to the paper presented from New Jersey.

Mr. Banks—Let us have the question of adjourn-

MI. BANKS—Let us have the question of adjournment settled first.

The SPEAKER—The paper to which the gentleman alludes is not yet before the House. Its reading was commenced, but it goes over until Monday next.

Mr. SCHRNCK—I move to suspend the rules so as to order a recess till half-past ten o'clock to-morrow.

Mr. Ross (dem.) of Ill.—I move that the House do now allourn.

Mr. Ross (dem.) of Ill.—I move that the House do now adjourn.
Mr. Eldridge called for the yeas and nays.
Mr. Schenck remarked that that was fillbustering.
The yeas and mays were not ordered.
Mr. Hanks suggested that the order for an early meeting of the House should be made as a continuous thing.
Mr. Schencer.

Mr. BANKS suggested that the order for an early meeting of the House should be made as a continuous thing.

Mr. SCHENCK said in the special thing of passing the bill to relieve manufacturers.

Mr. ELDRIDGE retorted that if the gentleman from Ohlo wanted to relieve laborers the members on the democratic side of the House would go with him.

Mr. SCHENGE—Oh, yes; I understand.

The rules were suspended and the order made for a session for to-morrow at half-past ten.

Mr. WASHBURNE, of Ill.—I move to suspend the rules for the purpose of making the following order:—

Resolved, That the resolution of the Legislature of New Jersey purporting to withdraw the assent of said State to the constitutional amendment, known as the fourteenth article, be returned by the Speaker of the House to the gentleman who presented in, for the resonant laborance in the same is direcepted to only shall be referred to in the journal and in the Congressional Globe.

Mr. Haight said he supposed the Chair had already

decided that question.

The SPRAKER said the motion now submitted was different from that before suggested. If this were a simple resolution offered by the gentleman from Illinois he would rule it unquestionably not in order; but it was a motion to suspend the rules for the purpose of making the order. The rules could be suspended at any time for the purpose of taking a petition from before a committee and of ordering it to tion from before a committee and of ordering it to be returned to a member, or of taking any other paper, not before the House at all, from the files of the House and sending it to the Senate, or transferring it to any other place whatever. This was a motion to suspend the rules and was therefore in order. Mr. Eldribae—The Chair has already decided that the paper is not before the House and cannot be be-fore the House.

the paper is not before the House and cannot be before the House.

The SPEAKER—The paper is in the custody of the
House, and is exactly in the position as if it had
been referred by the House to a committee.

Mr. ELDRIDGE—If the resolution is not before the
House it is still the property of the gentleman from
New Jersey (Mr. Haight), and is in his possession;
and I deny the right of the House to take it out of his
possession.

possession.

The Speaker—Unquestionably not; because the Chair ruled upon it before the hour for recess, and the Chair could not have ruled upon it if that were so, Mr. Elbhidge—I understand the ruling of the Chair to be that the resolution was not before the

House.
The SPEAKER—That is true, the Chair so ruled; but was not because the paper was in the possession the gentleman from New Jersey. Mr. Ross demanded the reading of the resolution of

Mr. Ross demanded the reading of the resolution of the New Jersey Legislature.

The Spraker said the gentleman had not the right of demand its reading.

Mr. Ross—Certainly, if we are to vote as to its eing disrespectful and scandatous we should have read.

being disrespectful and scandalous we should have it rend.

The SPEAKER—If the gentleman is not satisfied with it that is a matter which must govern his vote; but he has no right to demand the reading of a paper, except that which he has to act upon in the House, and which is the resolution offered by the gentleman from limins.

Mr. Brooks, (dem.) of N. Y.—I raise the question of order whether we who did not happen to be in the House when the paper was read have not a right to know what it is, and what we are to vote upon, as being scandalous and disrespectful.

The SPEAKER said the rules presume every member to be in his seat from the meeting to the adjournment of the House, unless when he is absent by seave from the House.

Mr. Eldninge—The gentleman from New York is no worse off than the rest of us. The document was

Mr. ELDHIDGE—The gentleman from New York is no worse off than the rest of us. The document was only partially read, and now we are required to vote to return to the New Jersey Legislature a resolution as being scandalous without knowing what it is.

The Spraker,—The Chair will state, although it is an argument under the garb of a point of order, that that is an argument which addresses itself to the gentleman's vote, and not to the parliamentary condition of the resolution. The resolution offered by the gentleman from Illinois claims on its face that sufficient has been read to show that document is disrespectful to the House. Whether that is so or not it is for the House to determine, not for the Chair to rule upon.

Mr. HAIGHT understood the resolution now before the House to refer to the language used in the reso-ution which he had had the honor to present the norming. That language had not all been read to he House, and the meaning of that which had been ead depended very much on that which had not een read.

read depended very much on that which had not been read.

The SPEAKER overrilled the point of order.
Mr. Ross moved that the House adjourn, and Mr. ELIBHOR demanded the yeas and nays.
The yeas and nays were ordered, and the vote resulted yeas 20, nays 19.
The question was then taken on Mr. Washburne's motion to suspend the rules and adopt his resolution. The vote resulted yeas 80, nays 17. So the rules were suspended and the resolution adopted.
The votes of the New Jersey membeers were:—Ave—Messrs, Halsey, Hill and Moore; "no—Mr. Haight: absent—Mr. Silgreaves.
When the name of Mr. Brooks was called he said, "I decline to vote. The paper to be voted on has not even been read."

IR. BULLER'S ADDERSS BEFORE THE IMPRACHMENT COURT.

Mr. SCHENCE moved to suspend the rules to enable into offer the following resolution:—

him to offer the following resolution:—
Resolvel, That there be printed for the use of the House for thousand copies of the opening address of the House five thousand copies of the opening address of the House pants. F. Butler, one of the Managers on the part of the House of Representatives on the trial of Andrew Johnson President of the United States, before the Senate, with the accompanying brief of law authorities, and forty thousand sopies without the accompanying brief.

The rules were suspended and the resolution was referred to the Committee on Printing.

Mr. Hanks moved to suspend the rules so as to offer he following resolution:—

Resolved, That during the week the House will meet each lay, except the stary, we level o colock.

Mr. Washnurne, of III.—I object, and move that he House do now adjourn.

The motion of Mr. Washburne was agreed to, and

the House, at a quarter-past five o'clock, adjourned to half-past ten to-morrow morning.

#### THE TAX REPEAL BILL.

WASHINGTON, March 50, 1868. The following is the text of the bill to exempt cerpurposes 22 \_\_\_\_\_d to by the senate, through the report of the Committee of Conference, and which

awaits the concurrence of the House:—

Be it enacted, &c., That sections forty-nine and ninety-five of the act entitled "An act to provide internal revenue to support the government, to pay interest on the public debt and for other purposes," approved June 13, 1844, and all acts and parts of acts amendatory of said sections, be and the same are hereby repealed; except only so much of the said sections and amendments thereto as relates to the taxes imposed thereby on gas made of coal, wholly or in part, or of any other material on illuminating, lubricating or other mineral oils or articles, the products of the distillation, redistillation or refining of crude petroleum, or of any single distillation of coal, shale peat, asphaltum or other bituminous substances, on wines therein described and on soulf and all the other manufactures of tobacco, including cigarettes, cigars and cheroots; provided that the products of pretroleum and bituminous substances hereinbefore mentioned, except illuminating gas, shall from and after the passage of this section was at account of the products of the products of pretroleum and after the passage of this section was at account of the passage of this section.

therein described and on snuff and all the other manufactures of tobacco, including cigarettes, cigars and cheroots; provided that the products of pretroleum and bituminous substances hereinbefore mentioned, except illuminating gas, shall from and after the passage of this act be taxed at one-half the rate fixed by the said section ninety-four.

Sec. 2: Thatmothing in this bill contained shall be construed to repeal or interfere with any law, regulation or provision for the assessment or collection of any tax which under existing laws may accrue before the 1st day of April, A. D. 1868; and nothing herein contained shall be construed as a repeal of any tax upon machinery or other articles which have been or may be delivered on contracts made with the United States prior to the passage of this act. Sec. 3. That after the 1st day of June next no drawback of internal taxes paid on manufactures shall be allowed on the exportation of any article of domestic manufacture on which there is no internal tax at the time of exportation; nor shall such drawback be allowed in any case unless it shall be proved by sworn evidence in writing to the satisfaction of the Commissioners of Internal Revenue that the tax had been paid, and that such articles of manufacture were, prior to the 1st day of April, 1868, actually purchased or actually manufactured and contracted for, to be delivered for such exportation; and no claim for such drawback or for any drawback of internal tax on exportations made prior to the last day of October, 1868.

Sec. 4. That every person, firm or corporation who shall manufacture, by hand or machinery, any goods, wares or merchandise (breadstuffs and unmanufacture or preparation for sale of any articles or compounds not otherwise specially taxed, and whose annual sales exceed \$5,000, shall pay, for every additional \$1,000 in excess of \$5,000, \$2; and the tax on the excess of \$5,000 shall be assessed by the Assessor and paid quarter yearly in the months of January, April, July and October of each year as ot

shall be made in the month of July, 1868, for the three months then next preceding.

SRC. 5. That every person engaged in carrying on the business of a distiller who shall defraud or attempt to defraud the United States of the tax on the spirits distilled by him or any part thereof shall forfeit the distillery and distilling apparatus used by him, and all distilled spirits and all raw materials for the production of distilled spirits found in the distillery and on the distillery premises, and shall on conviction be fixed not less than \$500 nor more than \$5,000, and be imprisoned not less than six months nor more than three years.

SRC. 6. That if any officer or agent appointed and acting under the authority of any revenue law of the

acting under the authority of any revenue law of th United States shall be guilty of gross neglect in the discharge of any of the duties of his office, or sha conspire or or collade with any other person to defraud the United States, or shall make opportunity for any person to defraud the United States, or shall do, or omit to do any act with intent to enable any person to defraud the United States, or shall make or sign any faise certificate or return in any case

prisoned not less than six months nor more than three years.

SEC. 7. And se it further enacted that no compromise, discontinuantee or notic prosecution under this act shall be allowed without the permission in writing of the Secretary of the Treasur and the Attorney General.

## AMUSEMENTS.

FRENCH THEATRE.-The "Belle Helène" was per formed here last night to an immensely crowded house, enthusiastically delighted and giving in every sentiment the general verdict that this is the greate sentiment the general vertice that has is the greatest of all the comic operas. No entertainment fits so exactly as comic opera does all the requirements of the city public in the way of theatrical entertainment. It is light and does not wear the brain; it is brilliant and fills the eye; it is brimful of the spirit of art and charms the taste; it is richly nonsensical and ministers to our universal love of fun; it sparkles, bubbles, effervesces, with the dainty, delicious sort of music for which the public has a passion. All this being effervesces, with the dainty, deficious sort of music for which the public has a passion. All this being true of comic opera in general, is true ten times over of "La Belle Helene." The libretto of this piece is one of the best results of modern historical criticism. It takes us at once right through the whole crust of the neroics, simashes the ancient ideals of Helen, Agamemnon, Achilles, Paris and Menelaus, and puts us fairly in company with those queer Greeks, Just as they were, just as they lived and laughed and made fun of one another. At all events, it gives a more natural idea of them than any to be gotten out of the idealized yarns of that old harper, who glorided in such jolly heroies the ancestors of every man who brought him out to dinner. The music sympathizes with the libretto. It bears the same relation to the stilled and tremendous in music—that is, the classical—as the slory does to Homer. It is famillar, absurd, ridenlous, running in happiest keeping with the vein of the piece, and always perfectly delicious. Already "La Belle Helène" has made a great hit, and we doubt not it will fairly rival its predecessor in continued favor.

WALLACK'S THEATRE.—"Rosedale" still continues the great attraction at Wallack's. Last night the

the great attraction at Wallack's. Last night the audience was large, elegant and enthusiastic. Mr audience was large, elegant and enthuslastic. Mr. Wallack was in excellent spirits and played Elliot Grey in a style that left nothing to be desired. Mr. John Gibert's Mides McKenna was a capital production and gained, as it merried, repeated rounds of applianse. Miss Rose Eytinge was, as usual, charming in the character of Rosa Leigh, and all the company performed their respective parts in that elegant and finished style which always marks the production of any piece on Mr. Wallack's stage. "Rosedale" will be presented every night this week.

Broadway Therafie,—"Joe," in its second week

BEOADWAY THEATRE. - "Joe," in its second week at this cosey and delightful theatre, judging from the at this cosey and delightful theatre, judging from the large and fashionable attendance last evening, promises to draw as largely as on the first week of its representation. In popular estimation the play, in fact, is already stamped as a decided rival to "Sam." Like, the latter councy, written expressly for Mr. Chanfrau, than whom there is no actor on the modern stage possessing more versatility, it presents him in equally diverse and amusing characters. For all who want to laugh and grow fat this is the place still as it has been for weeks past. Considering the growing popularity of the play, it is to be regretted that Mr. Chanfrau's engagement terminates so soon. He gives way to Mr. and Mrs. Bargey Williams, who are announced to appear here on the 13th of next month.

Niblo's—"THE WHITE FAWN."—Legs seem to be still the reigning feature on the metropolitan boards, to judge from the immense houses that patronize "The White Fawn." Although the management have not yet found it necessary to bring in any new feature in the spectacle, yet the attendance is still immense. The magnificent scenery, complete, well trained ballet and fine music (which has been won-derfully improved stope the first night) of the "White Fawn," place this spectacle far ahead of anything we have ever had in this line in the goodly city of Gotham.

OLYMPIC THEATRE.—" Humpty Dumpty," derived from the veracious history of Mother Goose, is still attractive at this house. "Humpty Dumpty" is a greathit, a great success, a refreshing entertainment. The only difficulty is that they who have not reserved seats must be content to stand or call again.

NEW YORK THEATRE.—A benefit was tendered

Mesars. Schell and Denham, scenic artist and machin-Messrs. Schell and Denham, scenic artist and machinist of this cosey place of amusement, last evening, upon which occasion the always popular dramatization of the story of the "Hidden Hand," the musical burietta of "No, or the Glorious Minority," and other attractions, were presented to a house goodly in numbers and appreciative and enthusiastic in disposition. Mrs. Kate Rynar as Capitola, Mr. G. Boniface as Black Donald, and Mr. W. L. Jamison as Wool, did excellently in the former piece, rendering their respective characterizations with a vim that was essentially a pleasure to witness. They were repeatedly called before the curtain. As a whole, the performance was very acceptable.

Bowery Theatre.—Mr. and Mrs. Edwin Blanchard and their dogs Carlo and Nero entered monthe.

chard and their dogs Carlo and Nero entered upon the second week of their engagement here last night.
A good house testified to their popularity, while their success in a new piece fully hore out the reputation earned by them in previous representations.

DE GARMO'S HALL—MISS LACOSTE'S READINGS.—

The readings or recitals of Miss Lacoste are alto gether unique. She is a lady who trusts entirely to a most remarkable memory to enable her "to body forth in action and voice the whole of one of Snakspeare's plays," and the audacity of this young and beautiful artist is equalled only by her success.

#### CITY INTELLIGENCE.

BURSTING OF THE CROTON WATER PIPES. TYester day morning some alarm was created when a repor reached the Twelfth precinct station house that the Croton water pipes had burst on the corner of 119th street and Second avenue, the corner of 119th street and First avenue, and in 120th street, between First avenue and aven

A REMONSTRANCE.-The property owners in the neighborhood of Thirty-second and Thirteenth streets are indignant at the action of the State Senate in passing the Cross fown Railway bill. Testerday morning a large meeting of interested parties met at the Everett House for the purpose of protesting against the passage of the bill by the Assembly. The meeting was presided over by Mr. John Sherwood, and Mr. N. Solomon acted as Secretary. A written remonstrance was prepared and signed, and a committee appointed to proceed to Albany, and, if possible, secure the defeat of the bill in the lower house.

THE NICOLSON PAVEMENT .- Mayor Hoffman has pefore him resolutions of the Common Council direct ng the laying of Nicolson pavement in Second ave nue from from Fourteenth to Nincteenth street, and Fourteenth street from University place to Eighth avenue. The Mayor will retain the papers during the present week for the purpose of allowing the property owners on the line of those streets to express their opinions on the matter.

MEETING OF FREIGHT AGENTS.—The freight agents

ding in this city held an adjourned meeting in the director's room of the American Express Co., 124 Broadway, yesterday afternoon, to agree on a tartif of Broadway, yesterday afternoon, to agree on a tartif of prices for the forwarding of packages, &c., on fast reight and despatch trains. These agents held a convention on the the 23d inst., and organized themselves into a society, electing a presiding and other officers, and appointing committees to consider and report on various branches of business. The report on prices of freight was fully discussed; it was understood, but not adopted as a whole. The meeting was strictly private.

NEW YORK METHODIST EPISCOPAL CITY SUNDAY

NEW YORK METHODIST EPISCOPAL CITY SUNDAY meeting of the above Society was held at St. Paul's church, corner of Fourth avenue and Twenty-second and the services of an impressive character. The musical services, under the direction of Mr. G. P. musical services, under the direction of Mr. G. P. Benjamin, formed one of the features of the enter-ainment. From the annual report it seems that the year ending March 31 has been one of unusual prosperity. The total receipts were \$65,766 95; expenditures, \$62,248 10; leaving a balance of \$518 85. There are twelve schools, one of which is for colored pupils, sustained by the Society, the average attendance being 1,509, an increase over the previous year of 486. The largest attendance was 2,434, of whom 1,176 were males and 1,258 females. A large amount in donations has been received during the year from gentlemen interested in the spread of religious knowledge. Expeditions has been for the spread of religious knowledge.

EXPEDITIOUS PASSAGE OF THE VILLE DE PARIS.-The steamship Ville de Paris, of the General Trans atlantic Company's line, accomplished the distance between this port and Havre in eight days and six-teen hours, being the quickest trip on record. SEIZURES OF TOBACCO BY INTERNAL REVENUE

OFFICERS.—Yesterday morning Inspector Harvey, of Mr. Shook's district, seized at pier 21 East river of Mr. Shook's district, seized at pier 21 East river thirty-nine cases of smoking tobacco which, from the brands, appeared to have been manufactured in a Southern State prior to 1863, and therefore only subject to a tax of five cents per pound. Experts, however, say it is of recent manipulation, and, being of choice leaf, worth to the Revenue Department fitteen or forty cents per pound. Twenty-one barrels of smoking tobacco were also seized in Fulton street by Inspector Harvey. On some of the barrels were counterfeit marks designed to cheat the government of its just dues.

BALL OF THE LITERARY CLUSTER. -The first enterdument of the above association took piece last night at the City Assembly Rooms. It was an entire success. The association is composed entirely of young men for the purpose of encouraging a taste for literary pursuits. The proceeds of last night's entertainment are to be generously donated to the aid of the Hebrew Orphan Asylum.

THE SUICIDE OF BERNARD EMMRICH-A TOUCH ino Letter.—An inquest was yesterday held at Bellevue Hospital by Coroner Schirmer over the remains of Bernard Emmrich, the German who com mitted suicide on Saturday night by hanging himself in the malt house attached to a brewery in Forty-fifth in the malt house attached to a brewery in Forty-fifth street, near Second avenue, as already reported in the HERALD. Destitution, sickness and despair, as inferred from the following letter which he wrote previous to committing the act, were the causes which prompted him to terminate his existence:—Sick, miserable and left by father, brothers and sixters even deceived by one brother, who could have beloed the; now my hour bas comes: I will not live any longer in this world. God pardon my sins, and take me up to Tby kingdom.

A verdict in accordance with the foregoing facts was rendered by the jury. yesterday notified to hold an inquest at No. 173 Fourth street, on the body of Joseph Hamilton, a man forty-four years of age, who died on Sunday man forry-four years of age, who died on Sunday from the effects of poison. Some time since deceased was a barkeeper in the Wallace Hotel in the Bowery, but for the last few weeks he had been out of employment. Mr. Hamilton had acted strangely for some days, and those in the house with him believed he was suffering from temporary aberation of mind. His landledy informed him that he must secure another boarding place. On Sunday morning Hamilton went to his room and lay down on the bedsoon after which his face seemed to look purple and pale alternately. This excited suspicion, and a doctor who was called gave the opinion that he doctor who was called gave the opinion that he had taken some mineral poison. Antidotes were administered, but without effect, and death ensued some hours afterwards. On examining his room after death a sharply ground table knife which had been missing for two weeks was discovered, and after death a sharply ground table knife which had been missing for two weeks was discovered, and doubtless he had contemplated taking his life with it. Deputy Coroners Wooster Beach and Knox, Dr. Finnell and other medical gentlemen were called to make a post mortem examination on the body. De-ceased was forty-four years of age and a native of Connecticut, in which State his relatives live. His mother is said to be an inmate of a lunatic asylum in Connecticut.

PROBABLE MURDER .-- A young man named John McCabe, residing at No. 538 West Twenty-eighth street, accosted officer Miller, of the Twentieth precinct, shortly after midnight this morning, in Twenty-seventh street, near Ninth avenue, and told him that some person to him unknown had stabbed him in the right breast. McCabe seemed to grow suddenly worse, and soon showed symptoms as if dying. He was conveyed to Mount Sinai Hospital.

## NEW JERSEY.

Newark. SHOOTING AFFRAY IN A BARROOM .- Yesterday afternoon an affray took place in a lager beer saloon kept by a German named Martin Engel, at No. 58 Mill street, in the course of which a man named Mill street, in the course of which a man named Patrick McTasney, a resident of that section of the city known as Stumptown, sustained severe injury through having been shot with a pistol in the right shoulder. Clubs and knives were also freely used, though with less serious results. It seems the proprietor, Engel, wanted the party of which McTasney was a member to leave his place, but they refused. He then, as alleged, took a huge club and after making a general clearance closed up the place. They subsequently rallied, broke several panes of glass, and were about effecting an entrance when Engel appeared with a revolver and used in the manner stated. He was afterwards arrested and held to await the result of McTasney's injuries.

was received yesterday by Coroner John Ball that a residing in a miserable shanty on Springfield avenue had died suddenly under circumstances of a rather suspicious character. His appearance on the scene was quickly followed by a fierce attack on the part of Anthony Werber. Margaret Werber, his wife, and a man named Christian Engelstein. These worthies, it is alieged, pitched into Mr. Bail furtously, tearing a portion of his beard from his face and beating him about the head and body also. An officer who ran to his assistance was also roughly handled. The trio were subsequently arrested and lodged in the station house. The Coroper and Dr. Dodd, the county physician, then discovered that the deceased was a widow and owned property to the amount of \$1,500, which, as supposed, Werber wanted to secure. A post-mortem examination of the body was made, but as yet nothing has transpired tending to support the idea that deceased had died from other than natural causes.

DIED FROM EXCESSIVE DRINKING.—Michael Byrnes, the keeper of a drinking saloon on Market street. had died suddenly under circumstances of a rather

the keeper of a drinking saloon on Market street, was found dead in his bed yesterday morning, nav-ing died from excessive drinking. He was in charge of a policeman at the time.

Morristown. scheme which was proposed for the introduction of water into Morristown, involving a cost of \$225,000, has, after a lengthy debate, been defeated by a large

AFFAIRS IN EAST Mississteri.—A bad state of things exists in Newton county, East Mississippi, and the feeling has extended into the adjoining counties. It will be recollected that some time since there was an encounter between certain negroes who were found out to be engaged in robberies, one of whom, a special officer was carrying to jail, and that officer and his relatives, in which the latter were killed. Attempts were made to arrest the murderers, and these was cluded through the management of a bureau officer. The negroes escaped at the time, but it is reported that they were afterwards caught and executed by order of a Lynch law tribunal General Gillem, it seems, has determined to arrest both court, jury and executioner in the latter case, and hunt is made for them accordingly.

# IMPEACHMENT

Trial of President Andrew Johnson, Charged With High Crimes and Misdemeanors.

Opening Speech of Representative Benjamin F. Butler for the Prosecution.

Third Day's Proceedings of the High Court.

UNITED STATES SENATE CHAMBER,

At half-past tweive o'clock the Chief Justice en-tered the Senate chamber and took the chair, which had just been vacated by the President pro tem. of the Senate.

former occasions filled the galleries. Carl Schurz-was observed among those admitted to the privi-

The Sergeant-at-Arms made the proclamation com

The President's counsel entered and took their

Managers' table.

At twenty-five minutes to one o'clock the Sergean!at-Arms announced the Managers on the part of the House of Representatives, who took their places, with the exception of Mr. Stevens, who entered soon afterwards and took a seat slightly apart from the

The House of Representatives was then announced and the members appeared, headed by Mr. Wash-burne, of Illinois, on the arm of the Clerk of the House, and were scated.

The minutes of the last day of the trial were then

OPENING OF THE CASE ON THE PART OF THE PROSE-CUTION—ARGUMENT OF MR. B. F. BUTLER. Mr. BUTLER, at a quarter before one o'clock,

commenced his opening speecn, which he read from printed slips, as follows:-MR. PRESIDENT AND GENTLEMEN OF THE SENATE:-

commenced his opening speech, which he read from printed slips, as follows:—

MR. PRESIDENT AND GENTLEMEN OF THE SENATE:—

The onerous duty has failen to my fortune to pregent to you, imperfectly as I must, the several propositions of fact and law upon which the House of Representatives will endeavor to sustain the cause of the people against the President of the United States, now pending at your bar. The high station of the accused, the novelty of the proceeding, the gravity of the business, the importance of the questions to be presented to your adjudication, the possible momentous result of the issues, each and all must plead for me to claim your attention for as along a time as your patience may endure. Now, for the first time in the history of the world, has a nation brought before its highest tribunal its chief executive magistrate for trial and possible deposition from office upon charges of maladministration of the powers and duties of that office. In other times and in other lands it has been found that despotisms could only be tempered by assassination, and nations living under constitutional governments even have found no mode by which to rid themselves of a tyrannical, imbectle or faithless ruler save by overturning the very foundation and framework of the government itself; and but recently, in one of the most civilized and powerful governments of the world, from which our own institutions have been largely modelled, we have seen a nation submit for years to the rule of an insane king because its constitution contained no method for his removal. Our farhers, more wisely founding our government, have provided for all such and similar exigencies a conscruaive, effectual and practical remedy by the constitutional provision that the "President, Vice President and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery or other high crimes and misdemeanors." The constitution leaves nothing to implication, either as to the person on whom

land, had preferred charges for impeachment against Warren Hastings, and three days before our Convention sat he was impeached at the bar of the House of Lords for misbehavior in office as the ruler of a people whose numbers were counted by millions. The mails were then bringing across the Atlantic, week by week, the eloquent accusation of Burke, the gorgeous and burning denunciations of Sheridan, in behaff of the oppressed people of India against one who had wielded over them more than regal power. May it not have been that the trial then in progress was the determining cause why the framers of the constitution left the description of offences, because of which the conduct of an officer might be inquired of, to be defined by the laws and usages of Parliament as found in the precedents of the mother country, with which our fathers were as familiar as we are with our own. In the light, therefore, of these precedents what are impeachable offences under the provisions of our constitution? To analyze, to compare, to reconcile these precedents is a work rather for the closet than the forum. In order, therefore, to spare your attention, I have preferred to state the result to which I have arrived; and that you may compare, to reconcile these precedents is a work rather for the closet than the forum. In order, therefore, to spare your attention, I have precedents to state the result to which I have arrived; and that you may see the authorities and discussions, both in this country and in England, from which we deduce our propositions, so far as applicable to this case, I pray leave to lay before you, at the close of my argument, a brief of all the precedents and authorities upon this subject, in both countries, for which I am indebted to the exhaustive and learned labors of my friend, the Hon. William Lawrence, of Onio, member of the Judiciary Committee of the House of Representatives, in which I fully concur and which I adopt. We define, therefore, an impeachable high crime or misdemeanor to be one in its nature or consequences subversive of some fundamental or essential principle of government, or inglify prejudical to the public interest; and this may consist of a violation of the constitution, of law, of an official oath or duty, by an act committed or omitted, or, without violating a positive law, by the abuse of discretionary powers from improper motives or for any improper purpose. The first criticism which will strike the mind on a cursory examination of this definition is that some of the enumerated acts are not within the common haw definition of crimes. It is but common learning that in the English precedents the words "high crimes and misdemeanors" are universally used; but any malversation in office, highly prejudicial to the public interest, or subversive of some fundamental principle of government by which the safety of a people may be in danger, is a high crime against the nation, as the term is used in Parliamentary law. Hallam, in his constitutional History of England, "Certainly deduces this doctrine from the precedents, and especially Lord Danby (Case II, Sigte Trials, 600), of which he says:—

Which he says:—

The Commons, is impeaching Lord Danby, went a great way towards establishing the principle that no minister can abelier himself behind the throne by pleading obedience to the orders of his sovereign. He is answerable for the justice, the honesty, the utility of all measures emanating from the crown as well as for their legality; and thus the executive administration is, or ought to be, subordinate in all great matters of policy to the apperincedence and virtual control of the two houses of Parliament.

matters of policy to the appermendence and virtual control of the two houses of Parliament.

Mr. Christian, in his notes to the commentaries of Blackstone, explains the collection and use of the words "high crimes and misdemeanors" by saying:—When the words "high crimes and misdemeanors" are used in prosecutions by impeachment, the words "high crimes" have no definite signification, but are used merely to give greater solemnity to the charge. A like interpretation must have been given by the framers of the constitution, because a like definition to ours was in the mind of Mr. Madison, to whom more than to any other we are independent of the privace of the constitution, for in the first Congress, when discussing the power to remove an other by the President, which is one of the very material questions before the Scante at this moment, he uses the following words:—

The danger consists mainly in his, that the President can displace from ofter a man whose merits require that he should be continued in it. In the first place, he will be imposchable by the House for such as act of maladiminarization, for I contend that the wannon exerced of meritarious others would subject him to impeachment and removal from his own high trust.

Strengthening this view, we find that within ten

Strengthening this view, we find that within ten years afterwards impeachment was applied by the very men who framed the constitution to the acts of public officers which, under no common law definition, could be justly called crimes or misdemeanors, either high or low. Leaving, however, the correctness of our proposition to be sustained by the authorities we furnish, we are naturally brought to the consideration of the method of the procedure and the nature of the proceedings in cases of impeachment, and the character and powers of the trianal by which high crimes and misdemeanors are